

REMARKS/ARGUMENTS

The present communication is filed in response to the Official Action mailed August 30, 2007, rejecting all the claims presently pending in the application. Independent claims 1, 8, 10, 17, and 20, as well as dependent claims 2-7, 9, 11-16, and 18-20 remain pending in the present application. A two-month extension of time is submitted herewith.

Independent claims 1, 8, 10, and 20 have been amended to recite the feature previously recited in claim 7. Claim 7 has been canceled. Claims 17-19 have also been canceled. Therefore, the present amendment merely cancels claims and presents the remaining claims in better form for consideration on appeal. Accordingly, no new matter has been added and the amendment should be entered in due course.

Claims 1-5, 8-11, and 15 were rejected under 35 U.S.C. §103(a) as being unpatenable over U.S. Patent Application Publication No. 2003/0126279 to Hu et al. (hereinafter "Hu").

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatenable over Hu in view of U.S. Patent Application Publication No. 2001/0037129 to Malik (hereinafter "Malik").

The Examiner relies on Malik in his rejection of claim 7, and thus impliedly acknowledges that Hu fails to teach "maintaining a list of said received patients in a queue, accessing said maintained list, and processing said list so as to selectively direct said received patients to either the first or second magnetic resonance scanner," as recited previously in claim 7 and now in amended claim 1. The Examiner asserts, however, that maintaining a list of patients in a queue is well known, and provides a doctor's office as an example. The Examiner further contends that a processor maintaining a list of patients is taught by Malik.

Malik relates to a method for facilitating communication between doctors and remote patients, wherein the patient may virtually "visit" the doctor through a computer network. (See *Malik*, ¶¶ [0008]-[0009]). These remote patients, upon virtual visit, may be assigned to a pool of patients based on one or more attributes, such as geographical location, age, medical condition. (See *Id.*, at ¶¶ [0010], [0039]). Doctors qualified to treat patients with such attributes then communicate with patients in the pool. (*Id.*).

Malik nowhere teaches selectively directing patients in a queue to one or another imaging apparatus. At most, Malik merely teaches a method of categorizing or grouping patients so that an appropriate physician may treat them. This is neither comparable nor equivalent to the limitations of the independent claims.

Accordingly, neither Hu nor Malik, taken alone or in combination, teach or suggest the limitations of independent claims 1, 8, and 10. For at least this reason, Applicant respectfully requests that the rejection of claims 1, 8, and 10 be withdrawn.

Claims 2-5, 9, 11, and 15 depend from and therefore include the limitations of claims 1, 8, or 10. Accordingly, for at least the reasons discussed above in connection with claims 1, 8, and 10, Applicant submits that claims 2-5, 9, 11, and 15 are patentable and requests that their rejections be withdrawn.

Claims 6, 12-14, and 16-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hu in view of U.S. Patent No. 6,414,490 to Damadian (hereinafter "Damadian").

Claims 6, 12-14, and 16 depend from claims 1 or 10, discussed above, and therefore include all the limitations thereof. Damadian nowhere teaches a processor maintaining a queue of received patients, and therefore fails to cure the deficiencies of Hu and Malik. Accordingly, for at least the

reasons discussed above in connection with claims 1 and 10, Applicant respectfully submits that claims 6, 12-14, and 16 are patentable and requests that their rejections be withdrawn.

Independent claim 20 has been amended to recite limitations similar to those of previous claim 7. Specifically, claim 20 as amended recites "a processor maintaining a list of received patients in a queue for selectively directing received patients to either the extremity scanner or the torso scanner." As discussed above, such limitation is not taught by Hu, Malik, or Damadian, taken alone or in combination. Accordingly, Applicant respectfully requests that the rejection of claim 20 be withdrawn.

Claims 17-19 have been canceled, thereby obviating their rejections.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which she might have.


Application No.: 10/721,016

Docket No.: DAMADIAN 3.0-080

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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